

Form PTO-1390  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER P20825 #4  U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/787,437
INTERNATIONAL APPLICATION NO. PCT/JP99/00388	INTERNATIONAL FILING DATE 29 January 1999	PRIORITY DATE CLAIMED 30 September 1998
TITLE OF INVENTION APOPTOSIS INDUCING AGENT		
APPLICANT(S) FOR DO/EO/US Yoko AIDA and Masakazu KAMATA		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)) 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). "Executed" 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (U.S.C. 371(c)(5)).		
<b>Items 11 to 16 below concern other document(s) or information included:</b>		
11. Assignee: <u>RIKEN of Saitama, JAPAN</u> 12. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 14. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> Figure of Drawing to be published _____ 18. <input checked="" type="checkbox"/> Other items or information: Cover Letter. Copy of Form PCT/DO/EO/905.		
06/27/2001 UEDUVIJE 00000101 09787437 01 FC:154                      130.00 OP		

U.S. APPLICATION NO. (If known, see 37 CFR 1.492(a)(1)-(5)) 09/787,437		INTERNATIONAL APPLICATION NO. PCT/JP99/00388		ATTORNEY'S DOCKET NUMBER P20825	
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19. <input checked="" type="checkbox"/> The following fees are submitted:  <div style="margin-left: 40px;">           Basic National Fee (37 CFR 1.492(a)(1)-(5)):            Search report has been prepared by the EPO or JPO. . . . . \$ 860.00            International preliminary examination fee paid to USPTO (37 CFR 1.482). . . . . \$ 690.00            No international preliminary examination fee paid to USPTO (37 CFR 1.482) but            international search fee paid to USPTO(37 CFR 1.445(a)(2)). . . . . \$ 710.00            Neither international preliminary examination fee (37 CFR 1.482) nor            international search fee (37 CFR 1.445(a)(2) paid to USPTO. . . . . \$1,000.00            International preliminary examination fee paid to USPTO (37 CFR 1.482) and all            claims satisfied provisions of PCT Article 33(2)-(4). . . . . \$ 100.00   <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> </div>				CALCULATIONS		PTO USE ONLY	

Surcharge of \$130.00 for furnishing the oath or declaration later than <u>  </u> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00			
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Claims	Number Filed	Number Extra	RATE		
Total Claims	21 - 21 =	0	X \$18.00	\$ 0.00	
Independent Claims	2 - 3 =	0	X \$80.00	\$ 0.00	
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than <u>  </u> 20 <u>  </u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$ 0.00
Extension of Time fee in the amount of \$					\$ 0.00
TOTAL NATIONAL FEE =				\$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 0.00
TOTAL FEES ENCLOSED =				\$130.00	
				Amount to be refunded	\$
				Charged	\$

a. ☒ A check in the amount of \$130.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No.        in the amount of \$       to cover the above fees.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055  
 AT THE PRESENT ADDRESS OF:  
 Bruce H. Bernstein  
 GREENBLUM & BERNSTEIN, P.L.C.  
 1941 Roland Clarke Place  
 Reston, VA 20191  
 (703) 716-1191

SIGNATURE  
 Bruce H. Bernstein  
 NAME  
29,027  
 REGISTRATION NUMBER

Reg No 45305

P20825.P07

**Rec'd PCT/PTO 25 JUN 2001**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yoko AIDA et al.

Serial No : 09/787,437  
(National Stage of PCT/JP99/00388)

I.A. Filed : January 29, 1999

For : APOPTOSIS INDUCING AGENT

**COVER LETTER**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed declaration of the International Application set forth in the Notification mailed April 24, 2001 which sets a one month period of response until June 25, 2001 (being that June 24, 2001 falls on a Sunday),

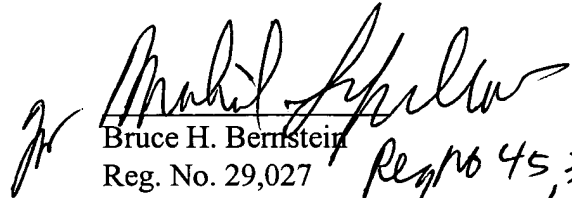
Applicants hereby submit:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- an executed Declaration and Power of Attorney;
- an Information Disclosure Statement, form PTO-1449, and references cited; and
- a check in the amount of \$130.00 to cover the surcharge for late filing of the Declaration.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below listed number.

Respectfully submitted,  
Yoko AIDA et al.

  
Bruce H. Bernstein  
Reg. No. 29,027 *Repto 45,305*

June 25, 2001  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke  
Reston, VA 20191  
(703) 716-1191



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/787437	AIDA Y	P20825
INTERNATIONAL APPLICATION NO.		
PCT/JP99/00388		
I.A. FILING DATE	PRIORITY DATE	
29 JAN 99	30 SEP 98	

BRUCE H BERNSTEIN  
GREENBLUM & BERNSTEIN  
1941 ROLAND CLARKE PLACE  
RESTON, VA 20191

DATE MAILED: 24 APR 2001

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.   |  |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |  |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

- Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Barbara A. Campbell

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3631

BEST AVAILABLE COPY

RECEIVED  
APR 25 2001  
GREENBLUM & BERNSTEIN, P.L.C.